CHRISTIAN NEWS FROM ISRAEL

JERUSALEM

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CHRISTIAN NEWS FROM ISRAEL

VOL. VI. No. 1-2

JUNE 1955

EDITED BY DR. CH. WARDI

GOVERNMENT OF ISRAEL

MINISTRY OF RELIGIOUS AFFAIRS

JERUSALEM

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IN MEMORIAM

MGR. ANTOUN BOUTROUS ARIDA

MARONITE PATRIARCH OF ANTIOCH AND THE WHOLE EAST

With the passing away of Patriarch Arida the Maronite Church has lost its deeply revered head and the Christian community of the Middle East one of its outstanding leaders. The late Patriarch came from a distinguished Lebanese family. Born 92 years ago, he studied theology and philosophy at the famous college of Saint Sulpice in Paris. On his return to the Lebanon he was appointed Secretary to the Archbishopric, a position he held for ten years. In 1908 he was nominated Bishop of Tripoli, and in 1932 he reached the summit of his hierarchical career when the Pope made him Archbishop of Antiochia and the East. He was a man of unusual qualities of mind and character, a friend of the needy, a wise counsellor, a fearless patriot. During his long career, his native land went through many changes, but his outstanding position as the spiritual guide of his people remained firm and unaffected by any of them. Until the end of his days he strove for peace and goodwill between all communities and denominations. He was friendly disposed to the "Jewish National Home in Palestine", and only last November he urged the heads of the Lebanese Government to work for peace with Israel. He has left behind the fragrant memory of a unique personality and a forceful advocate of international cooperation and goodwill.

CHRONICLE OF EVENTS

CHRISTMAS 1954

Christmas this year saw a particularly large influx of pilgrims from abroad. According to the Government Tourist Centre more than six hundred pilgrims entered Israel on their way to the Old City. They included both Catholics and Protestants. A Latin American group of sixty-eight was headed by Mgr. *Alfonso Maria Buteler,* Bishop of Mendoza, Argentine, and Mgr. *Salvador Martinez Silva,* Auxiliary Bishop of Morelia, Mexico.

More than sixteen hundred Israel citizens crossed to Bethlehem via Mandelbaum Gate. Among them were a party of Quakers from Acre. The gate was open the whole day and the whole night, from early on Friday morning till Saturday morning. To facilitate the transit formalities the army put special tents at the disposal of the police, health and customs officials. The arrangements were inspected by Mr. I. Rokach, the Minister of the Interior, Dr. A. Biran, the District Representative, Gen. E. L. M. Burns, the Chief of Staff of the Truce Supervision Organisation, and Col. C. Brewster, the Chairman of the Israel Jordan Mixed Armistice Commission. In the evening Gen. Burns accompanied the annual procession of the Jerusalem Consular Corps which travelled to Bethlehem by the old direct road.

In the New City midnight masses were celebrated in the Church of the Dormition, and the chapels of Terra Sancta, Ratisbonne, etc. The Jerusalem Y.M.C.A. building was festooned with lights and floodlit. The carillon on the Tower played "Silent Night" and other Christmas carols in the evening from 7.45 to 9.45. The annual carol service was held in the auditorium at 8.0 p.m. On the following day a Christmas party was given for the Christian children of the city.

In Haifa midnight masses were celebrated at the Carmelite Monastery on Mt. Carmel, in the Greek Catholic Cathedral church and in the Protestant church of St. Luke. Parties for children were held at

St. Luke's church and, on the following day, at the Anglo-American Club. The week before, the Mayor of Haifa, Mr. Abba Khoushy, had made Christmas trees available to consulates throughout the country as well as to local residents.

Nazareth this year enjoyed complete freedom of access, the restrictions of former years having been removed. The main services were held in the church of the Annunciation and in the "Synagogue", the Greek Catholic church of the town. English carols were sung by a mixed four-part choir at the Nazareth Baptist church on Saturday evening.

In Jaffa some six hundred persons attended midnight mass in the Catholic church of St. Anthony.

On the eve of the festival, President Ben Zvi issued for the occasion the following message:

> "It is with pleasure that I extend to all Christian citizens and visitors in Israel my sincere good wishes for the Festivals of the season. May the spirit of co-operation and friendship between the various Communities in Israel continue to develop and gather strength during the coming year, and may peace and prosperity be our lot. A Happy New Year to you all."

The Eastern Churches

The Greek Orthodox Community celebrated Christmas on January 7th (25th December, Old Style). The day before, some seventeen hundred Israel residents (mostly Arab-speaking) crossed for the occasion to Bethlehem. In Israel solemn ceremonies took place in Nazareth, and in Jaffa. The service in Jaffa, held in the church of St. Michael, was attended by the British Ambassador and Mrs. Nicholls and by the Greek Consul and Mme. Linakis.

The Coptic and Ethiopian Communities also celebrated Christmas on January 7th, the former in Jaffa and Nazareth, the latter in Jerusalem. Since the Ethiopians have at present no altars in Bethlehem, they celebrate Liddet (Christmas) in their chapel "Madhane Alam" (St. Saviour) in Dayr es-Sultan, their convent in the Old City.

The Armenians celebrated Christmas (as well as Epiphany) on January 19th.

MEMBERS OF "LA CONFERENCE OLIVAINT" VISIT ISRAEL

On December 27th, a group of members of "La Conférence Olivaint", headed by Abbé *Charles Huvenne* S.J., Counsellor of the "Conférence", crossed from the Old City for a fortnight's tour of Israel. They were welcomed by a representative of the Government and in the evening were the guests at a reception given in their honour by the Counsellor on Christian Affairs.

"La Conférence Olivaint" is an institute of political education, where young students, carefully selected, receive training for political and administrative functions in France.

During their stay in Israel the group toured the country and visited its institutions, met representatives of political, cultural, religious and administrative bodies, and established contacts with various personalities. They also met professors and students of the Hebrew University. Their programme included a three-day tour of Galilee and visits to Christian Holy Places.

After their return home, the group published a report on the human, political, economic, social and religious problems which they had encountered in Israel.

NON-JEWISH STUDENTS IN THE HEBREW UNIVERSITY OF JERUSALEM

Fifty three Arabs, including one woman, are enrolled this year as students in the Hebrew University of Jerusalem. Some twenty of them are Christian, the others being Moslem and Druze. Most of them come from Nazareth and the villages of Galilee, others from Lydda and Jaffa.

Four of them study in the Faculty of Natural Sciences, ten in the Faculty of Law, six in that of Medicine, two in the Institute of Agriculture, and the rest in the Faculty of Humanities and Social Sciences.

A number of them are exempted from paying fees and others enjoy scholarships.

Among students attending the University this year are also six non-Jewish students from abroad. Four of them hail from the U.S.A., one from the Netherlands and one from England. Most of them are graduates of Theological Colleges; — one, Dr. Jessie Lady, is Professor of Religion and Philosophy at Upland College, California. They will spend a year here studying Bible, Archaeology, Sociology and related subjects.

THE DAY OF TAKLA HAYMANOTH

On January 2nd, the Ethiopian Community celebrated the Day of Takla Haymanoth, the national saint of Ethiopia, who according to tradition brought about the restoration of the Solomonic dynasty in 1268. The main ceremony was observed at the residence of the Ethiopian Bishop in the Old City where a chapel is dedicated to the memory of the great Saint and Abunah. A group of Ethiopian monks crossed to the Old City for the occasion.

JEWISH, CHRISTIAN, MOSLEM AND DRUZE SCOUTS IN ISRAEL FEDERATE

On January 4th, a Constitution for the Israel Boy and Girl Scouts Federation was drawn up in Nazareth by representatives of the following Scouts Associations in the country: The Hebrew Scouts, The Israel Catholic Scouts, The Israel Arab Scouts (mainly Greek Orthodox), the Terra Sancta Federation of Scouts, Rovers and Guides, the Arab Schools Scouts (mainly Moslem), and the Israel Druze Scouts. The Constitution of the Federation will be binding upon all the Member-Associations and serve as a common basic programme for all, but each Association will keep its own internal constitution in order to preserve its special character. This is of particular importance in view of the fact that the Catholic Associations are strictly confessional, religion being with them both "foundation and coping-stone of the whole edifice".

One of the aims of the Federation is to foster friendly relations among the members of the Movement; and much has already been done to bring the scouts together so that they may know and appreciate each other. Meetings were held in which all Associations participated, visits were exchanged between Jewish and other Scout Groups, and now plans are being made for mixed summer camps where members of various Associations will live together for a period of one month.

On February 16th, the delegates of the six federated Associations were received by President Ben-Zvi, who is also Honorary President of the Federation. On this occasion the Catholic Scouts presented the President with an artistic enamelled plaque of the "Last Supper".

ETHIOPIAN CELEBRATIONS AT THE JORDAN

On January 15th, the Ethiopian Community celebrated the Feast of the Trinity in their chapel of the Trinity near the Jordan.

The monks of Debre Gennet, who crossed to the Old City and went down to the River Jordan, stayed there until the 20th; for on the 19th the Ethiopians celebrate Timkat or Epiphany, and on the 20th the Day of St. Michael the Archangel, which is also observed as the Day of the Miracle in Cana of Galilee.

CENTENARY OF THE SISTERS OF NOTRE DAME DE NAZARETH

On January 26th, the Congregation of Notre Dame de Nazareth celebrated the centenary of its arrival in Nazareth. It was at the invitation of Mgr. Valerga, the first Latin Patriarch of Jerusalem in the 19th century, that this Congregation sent a group of Sisters to the Holy Land in 1855 to help the patriarchal missionaries in their work among the feminine part of the population.

The ceremony was presided over by His Beatitude, the Latin Patriach, who celebrated mass assisted by Mgr. Vergani, his representative in Israel. The attendance included the Greek-Catholic Archbishop of Galilee, the Superior General of the Congregation of Notre Dame de Nazareth, the Superiors of other religious communities, as well as the authorities of Nazareth.

THE VICAR GENERAL OF THE DISCALCED CARMELITE ORDER VISITS ISRAEL

On February 1st, the Very Rev. Father *Maria-Eugenius ab Infante Jesu,* Vicar General of the Discalced Carmelite order, crossed the lines to Israel accompanied by his assistant, the Rev. Father *Michael (Moylan) a Regina Pacis.* Father Maria-Eugenius was on his way back from the Far East where he had visited the Carmelite Institutions. In Israel he inspected the convent of St. Theresa in Jerusalem, the convent of Stella Maris on Mt. Carmel, the Latin Parish Church in the city of Haifa, the sanctuary of the Sacrifice (El Muhraqa) and the three convents of the Tertiary Carmelite Nuns. On February 10th Father Maria-Eugenius left for Rome.

DEAD SEA SCROLLS NOW ALL BACK IN JERUSALEM

Four of the seven ancient scrolls discovered near the Dead Sea in 1947 have been recently purchased in New York and brought back to Jerusalem through the efforts of Gen. Yigael Yadin and the generosity

of the Norman and Gottesman Foundations. The scrolls were bought from the Syrian Orthodox Bishop of Jerusalem, who had taken them to the United States.

The other three scrolls had been acquired by the late Prof. Eliezer Sukenik of the Hebrew University, father of Gen. Yadin.

The scrolls now secured consist of:

1. Isaiah-Manuscript A: the earliest known manuscript of the Book of Isaiah, complete and in an excellent state of preservation;
2. A commentary on the Book of Habakkuk;
3. The "Manual of Discipline," which contains rules and regulations of a Jewish religious order whose members inhabited the Dead Sea area, and gives detailed descriptions of the principles and organization of the order, which may have belonged to the sect of Essenes;
4. The "Scroll of Lamech", an apocryphal work referred to in several ancient texts, of which no copy was previously known. This manuscript is as yet unopened, and the delicate task of unrolling it has been entrusted to Dr. *Nahman Avigad* of the Hebrew University. This operation is expected to take several months, and when completed should provide a unique contribution to the knowledge of Jewish religious tradition, history and literature.

The scrolls acquired by Prof. Sukenik contained:

1. Manuscript B of the Book of Isaiah.
2. "War of the Sons of Light against the Sons of Darkness".
3. "The Song of Thanksgiving".

The Government has set up a national corporation to be known as "Keren Hekhal HaSefer", (the Shrine of the Book Trust) which will acquire and hold in perpetual trust manuscripts and documents of Biblical and related literature, and will arrange for their display to the public. The Chairman of the Board of Trustees of "Hekhal HaSefer" is President Ben-Zvi.

NEW SUPERIOR OF THE PONTIFICAL BIBLICAL INSTITUTE

On February 6th, the Rev. *Francis X. Peirce,* S.J., for many years Professor of Sacred Scripture at Woodstock College, Maryland, U.S.A,. and recently appointed Superior of the Pontifical Biblical Institute, Jerusalem, arrived by El Al Airways to take up his new position.

The new Superior, who was at one time a student of the Institute, was last in this country 24 years ago, "when the Biblical Institute," he said in the course of an interview, "was the only inhabited build-

ing in the area, which at that time was one big olive-grove". Upon his arrival, Professor Peirce paid a visit to the Ministry of Religious Affairs.

COMMEMORATIVE CEREMONY FOR GIOVANNI PALATUCCI

On February 10th, a meeting was held in Tel-Aviv to commemorate the tenth anniversary of the death of Giovanni Palatucci, Italian Chief of Police in Fiume, who was murdered by the Nazis in Dachau, during the second World War, for having saved the lives of hundreds of Jews (see *Christian News from Israel,* Vol. IV, No. 2-3, page 8).

The Italian Minister, *Benedetto Capomazza,* Marchese di Campolattaro, spoke on the human value of Palatucci's sacrifice. A special message from the Prime Minister was read by Dr. Meir Vardi of the Foreign Ministry. Rabbi Dr. Fabian Hershkowitz, on behalf of the Jews saved by Palatucci, announced the launching of a campaign for the planting of a Palatucci Forest by the Jewish National Fund. Mr. Rodolfo Grani, Chairman of the meeting, read a message from His. Exc. Mgr. Giuseppe Maria Palatucci, Bishop of Campagna, uncle of the martyr.

A NEW DISTRICT REPRESENTATIVE FOR JERUSALEM

On February 15th, Mr. *S. B. Yeshaya* assumed office as District Representative of Jerusalem in lieu of Dr. Biran, who is now Israel Consul in Los Angeles. Subsequently Mr. Yeshaya received the Consular Corps, headed by its Doyen, Count Thierry de Lichtervelde of Belgium, the Apostolic Delegate, Mgr. Oddi, and the Heads of the various religious communities of the city.

TRANSLATORS OF THE BIBLE INTO CHINESE VISIT ISRAEL

On February 21st, the Rev. Father Donato Baldi, Rector of the Studium Biblicum Franciscanum in the Old City, arrived in Israel with a group of students for a short stay. The party included the Rev. Father *Gabriele Allegra* o.f.m., author of the first Catholic translation of the entire "Old Testament" into Chinese, and the Rev. Fathers Antonius M. T. Lee, Solanus Lee, Ludovicus Liu and Marcus Ch'en, his Chinese assistants in the translation. Father Allegra, who made his translation from the original languages and not from the Latin Vulgate,

also provided each of his eight volumes with introductions, notes and comments.

It may be noted that there are at present some thirty three Protestant translations of the Bible into Chinese. One of the first was made by an Armenian, Lassarian, a native of the Portuegese port of Macao in China. This translation, made from the Armenian Bible, was published in parts at various intervals, and finally in its entirety in 1822, after being revised from the original language by the Baptist missionary Marshman of Serampore.

In the achievement of his task, which occupied him for some ten years, Father Allegra's main endeavour was to conserve in his translation the typical Hebrew expressions of the original text. He now intends to prepare, together with his assistants, a Chinese version of the New Testament.

THE DAY OF QIDANE MEHRAT

On February 23rd, the Ethiopian Community in Israel observed the Day of Qidane Mehrat, the feast of the church of their convent Debre Gennet, situated in the Jewish part of Jerusalem. As the feast fell on a Wednesday, which is the day of the weekly fast, mass was celebrated in the afternoon.

DEPUTY MINISTER OF RELIGIOUS AFFAIRS VISITS THE CHRISTIAN AND MOSLEM COMMUNITIES OF GALILEE

On February 27th and 28th, Mr. *Z. Warhaftig,* Deputy Minister of Religious Affairs, toured the towns and villages of Galilee in order to acquaint himself personally with the religious institutions of the non-Jewish Communities. He was accompanied by Mrs. Warhaftig, Dr. S. Colbi, Director of the Christian Department and Mr. Jacob Joshua, Deputy Director of the Moslem Department. In Nazareth, after being welcomed by the Military Governor and the religious leaders of the area, the party visited the Franciscan Convent, the outworks for the new church of the Annunciation, and the Greek church of St. Gabriel. They also called on the Qadi of Nazareth. Later on they proceeded to Mount Tabor to visit the Basilica of the Transfiguration. On the shores of the Lake of Tiberias they visited the church of the "Mosaics" near Tabha, the Mount of the Beatitudes, the ancient Synagogue of

Capernaum and afterwards the Greek and Latin churches of Kafr Cana. Mr. Warhaftig concluded his tour with a visit to the Carmelite Monastery of "Stella Maris" in Haifa.

MINISTER OF LABOUR VISITS ARAB VILLAGES

On March 7th and 8th Mrs. *Golda Meyerson,* Minister of Labour, visited the Arab villages in the northern "Triangle" and Eastern Galilee, where the Labour Ministry, aided by the local communities, has constructed approach roads and inner roadways. She was received in each locality by the local clergy and the Elders of the villages.

The chief desire expressed by the Arab inhabitants was echoed in a speech by a seventeen-year old girl at Um el-Faham, who had just completed her studies at the local secondary school. The Minister, she said, had given "ease to their feet" (by building roads); now would she likewise give "rest to the heads of the village women", by providing piped water which should end the need to carry water from the wells on their heads. ...

In her reply Mrs. Meyerson said that women's heads were indeed not made to carry water, but to think, and that the Government would do for water supplies what it had done in road-building, i.e. give all aid to those villages which showed the will and the intention to take an initiative in the matter and to participate with the government in executing the project.

Mrs. Meyerson's journey ended in Nazareth, where she opened the new Vocational Training Centre established there with the aid of USOM. The centre, which will be attended by 60 students, will give full-time courses lasting from 3 months to a a year, in addition to special evening courses. The main subjects are to be carpentry (with an affiliated course in the carving of Christian religious articles from olive wood), locksmithery, machine works, sewing for women, and the assembly and repair of agricultural equipment. The sixty five participants in the first group include graduates of Arab secondary schools, semi-skilled workers who lack the necessary theoretical background, and unemployed unskilled labourers. The subjects will be taught in Arabic by Arab instructors. All participants in full-time courses will be tided over the period of their courses by the Ministry of Labour, by means of loans enabling them to support their families.

VISIT OF THE GREEK ORTHODOX ARCHBISHOP OF SEBASTE

On March 10th, His Grace *Athenagoras,* Archbishop of Sebaste, arrived from the Old City for a short stay in Israel. His Grace visited the Greek-Orthodox communities of Jerusalem, Ramle, Jaffa, Haifa and Acre, and attended ceremonies in the churches of the respective communities.

On Friday afternoon, the 11th, he paid a visit to His Excellency Mr. John Walter Nicholls, British Ambassador in Tel Aviv. On Saturday he addressed his community in Haifa and on Sunday morning he attended in Acre the ceremony of the consecration of the new local priest, Yussef Selim Khoury.

On Monday, before returning to the Old City, he paid a visit to the Ministry of Religious Affairs.

GREEK NATIONAL HOLIDAY CELEBRATED IN JAFFA

On March 20th, a Te Deum was sung in the Greek Orthodox church of St. George in Jaffa on the occasion of the Greek national holiday. The ceremony was led by His Grace *Kyr Benedictos,* Archbishop of Tiberias. Among the guests were the British Ambassador and Mrs. Nicholls.

Later in the morning, a reception was held at the residence of the Greek consul and *Mrs. Linakis* for members of the Greek colony and friends of Greece.

OPENING OF NEW ROAD TO MOUNT OF BEATITUDES AND CAPERNAUM

On March 24th, the new road connecting the Tiberias-Safed highway with the Mount of Beatitudes in Eastern Galilee, (the traditional scene of the Sermon on the Mount), was solemnly inaugurated by His Beatitude the Latin Patriarch; Mr. *Peretz Bernstein,* Minister of Commerce and Industry, attended the ceremony.

In the course of the proceedings, Mgr. Vergani, Patriarchal Vicar of Galilee, thanked the Government for "this further proof — if proof is needed — of the interest it has shown in Christian shrines in Israel." He also thanked the United States' Operations Mission which helped to finance the work, and concluded: "We ask Almighty God that good-will, peace, justice and charity, which are among the beatitudes proclaimed on this very hill, be spread throughout the world,

bringing all mankind nearer to His laws." Mr. Peretz Bernstein, who spoke on the value of tourism to the country's economy, at the same time stressed that its main importance lay in the creation of better understanding between members of the various faiths and nationalities.

The ribbon across the road, in the colours of Israel, Italy and the Vatican, was cut by Mgr. Alberto Gori, Latin Patriarch of Jerusalem, who then led a procession up to the church of the Beatitudes. After luncheon at the Italian hospice situated at the top of the hill, the guests drove to the neighbouring ancient synagogue of Capernaum.

A GUEST FROM DENMARK

On April 1st, the Rev. *Poul Borchsenius* of Denmark arrived in Israel for a two months' stay in the country. Dr. Borchsenius, who had previously visited Israel in 1950, is the author of a book on the emergence of the State of Israel entitled "The Sun Stood Still" and of several volumes dealing with various periods of Jewish history. One of the objects of his second visit was to collect information for a further book on Jewish life in the period of the Ghettoes.

While in Jerusalem, Dr. Borchsenius was received by the President and by the Prime Minister. He also had talks with Mr. Warhaftig, Deputy Minister of Religious Affairs.

An article by Mr. Borchsenius appears on page 28 of this issue.

OPENING OF THE DEPARTMENT OF PREHISTORIC ARCHAEOLOGY

On April 5th the University's Department of Prehistoric Archaeology and the Permanent Exhibition of Antiquities incorporated within it was opened in Jerusalem by Dr. A. L. Mayer, Professor of Near-Eastern Art and Archaeology. The ceremony was attended by a distinguished gathering which included M. Marcel Laforge, the Consul General of France in Jerusalem, M. P. de Beauvais, French Consul, and a number of Superiors of the Religious Orders established in the Israel section of Jerusalem.

The exhibition includes the collection of the late M. René Neuville, former French Consul General in Jerusalem, and the room in which these are housed was opened by Madame Neuville, who had come specially from France for the occasion.

In speaking of the exhibition, Dr. M. Stekelis, Head of the new Department, said that it contained material brought to light since 1948 through the joint efforts of the Hebrew University and the Department of Antiquities.

Referring to the collection of the late M. Neuville, with whom he collaborated for twelve years, Dr. Stekelis described him as a man who had been profoundly devoted to the cause of archaeological research.

ROBERT SCHUMANN VISITS ISRAEL

On April 11th, a group of French pilgrims including M. *Robert Schumann,* former Prime Minister and now Minister of Justice of France, crossed from the Old City for a short stay in Israel.

On their arrival in the New City, the Minister and the other pilgrims were the guests at a reception held in their honour by M. Marcel Laforge, Consul-General of France in Jerusalem. Subsequently, M. Schumann was received by the Prime Minister, and also met a number of leading officials of the Government.

In an interview given to press representatives M. Schumann stressed the cordial relations existing between France and Israel. Commenting on the frontier situation in this country, M. Schumann remarked that problems affecting frontiers were no novelty to an Alsatian like himself.

TWO HUNDRED AND SIXTY AMERICAN PILGRIMS RECEIVED BY THE PRESIDENT

On April 11th, a group of two hundred and sixty pilgrims from the United States organized by the "Christian Herald" of New York entered Israel via the Mandelbaum Gate. The party visited the Holy Places as well as other sites of historical and current interest. They left from Haifa on the S.S. Silver Star which they had chartered for their journey to the Holy Land.

During their stay in Jerusalem, the group were received by President Ben-Zvi, who spoke to them on the common Biblical principles embodied in the constitutions of their respective countries. "Our aim is to reconstitute a united Israeli nation and to fulfil the prophecy of Ezekiel in Chapter 37."

GUARDIAN OF CRUSADERS' CHURCH AT ABU GHOSH LEAVES ISRAEL

On April 12th, *Dom Alexandre Lannes,* O.S.B., guardian of the Crusaders' church of Abu Ghosh for several decades (see "Christian News from Israel", February 1953, page 14) returned by plane to his monastery of Notre Dame de Belloc in Southern France. His place has been taken by *Dom Bernardin Darmandrail.*

On the eve of his departure, Dom Alexandre was the guest at a number of farewell receptions given by M. Laforge, Consul General of France in Jerusalem, and by Jewish, Christian and Moslem friends. He was not happy, he said, to leave this country where he had spent more than fifty three years in prayer and work. He must resign himself, but his intimate desire would remain to come back to Israel, where alone he could feel himself at home, surrounded by his friends of the neighbouring Kibbutzim and the Arab village of Abu-Ghosh.

On the same day, the Rev. Father *Jean Baptiste Ardans* (Père Théophane), Superior of the French Benedictines, also left for Notre-Dame de Belloc after fifty years of service in the Holy Land.

BISHOP ARNE FIELBU OF TRONDHEIM VISITS ISRAEL

On April 12th, the Rt. Rev. *Arne Fielbu,* Bishop of Trondheim, accompanied by Mrs. Fielbu, arrived in Israel aboard the Norwegian S.S. St. Olof. He was welcomed in Haifa by Mr. D. Anat of the Ministry of Religious Affairs. During his tour of the country the Bishop visited the Holy Places and called on several members of the Norwegian Community living here. In Jerusalem he was received at the Swedish Theological Institute and at the Church of St. Andrew.

Bishop Fielbu is the author of a historical work on Palestine at the beginning of the Christian Era. During the war he suffered persecution at the hands of the Nazis for help extended to the Jews.

A METHODIST BISHOP VISITS ISRAEL

On April 22nd, the Right Rev. *Donald Tippett,* Bishop of the Methodist Church in San Francisco, and one of the founder members of the American-Israel Society, arrived in Israel for a short stay as guest of the Government. He visited the Christian Holy Places and other localities of historical and topical interest. While in Jerusalem he was received by the President and by the Prime Minister. He also attended a ceremony at the Hebrew University in the course of which Mr. *Men-*

nen G. Williams, Governer of the State of Michigan, presented on behalf of Mr. Charles E. Feinberg of Detroit a collection of Walt Whitman's books and manuscripts to the Hebrew University. Present at the ceremony was also Dr. *Henry Steele Commager,* Professor of History at Columbia University.

ETHIOPIAN EASTER CELEBRATIONS IN JERUSALEM

On April 24th, *Daghim Tensae* ("second" Resurrection) was celebrated with great solemnity by the Ethiopian Community at their convent of Debre Gennet. His Grace Abba Philippos, Bishop of the Ethiopian Orthodox Church of Jerusalem, accompanied by nineteen Ethiopian monks from Dayr es-Sultan, crossed from the Old City for the occasion. The attendance included the Ethiopian Consul, the Syrian Orthodox Representative in Israel, Government representatives and a large number of guests.

After the procession, light refreshments were offered to the guests and the entire congregation.

A GUEST FROM BELGIUM

On May 11th, the Very Rev. Abbé R. *Kothen,* Professor of Social Teachings of the Church at the "Ecole Sociales" in Brussels and Editor of "Fiches Documentaires", arrived in Israel on a study tour. The purpose of his visit was to collect information on the social doctrine of Judaism, as well as to study present-day social activities in Israel. During his stay, he also evinced much interest in the situation of the Christian Communities.

In Jerusalem Prof. Kothen called on Chief Rabbi Herzog and on Mr. Warhaftig, Deputy Minister of Religious Affairs. In Tel Aviv he saw Mr. Reuben Barkatt, member of the Executive of the Labour Federation, the "Histadruth". He also called on the Greek Catholic Archbishop of Galilee and on the Latin Patriarch's Representative in Israel.

COURSES IN SCIENCE OF RELIGIONS AT THE HEBREW UNIVERSITY OF JERUSALEM

The Board of Governors of the Hebrew University has decided to introduce courses in the Science of Religions in the Faculty of Huma-

nities as from the academic year 1956/7. The courses will be restricted at first to the study of the three monotheistic religions, Judaism, Christianity and Islam, although efforts will be made from time to time to arrange courses in the religions of the Far East and of Persia, for which guest lecturers will be invited. Only students holding the M.A. degree and postgraduate students will be admitted to the courses.

A GUEST FROM FINLAND

On May 18th, Rev. *Taito Mikael Lumme* of Lapua, a pastor in the Evangelical Lutheran Church of Finland, arrived in Israel for a visit. Pastor Lumme, who was accompanied by Rev. Heikki Kalima and Mr. Osmo Visuri, came to this country on behalf of the Sunday School Association of the Church of Finland in order to take pictures and films for educational purposes.

Pastor Lumme carried with him a gift from the inhabitants of his village for President Ben-Zvi. The gift consisted of a Finnish handmade "puukko" (hunting-knife) with leather straps beautifully decorated.

FINNS IN ISRAEL CELEBRATE THE EIGHTH CENTENARY OF FINLAND'S CONVERSION TO CHRISTIANITY

On May 19th, a ceremony took place at the Finnish Schools in Jerusalem to commemorate the 800th anniversary of Finland's conversion to Christianity.

Miss Havas, Principal of the School, delivered a lecture on the history of the Finnish Church through the centuries. This was followed by a talk given by Pastor Lumme of Lapua, Finland, on the pietistic movement started by Paavo Ruotsalainen at the beginning of the 19th century which greatly contributed to the renewal of the religious and national life of the Finnish nation.

Among the guests, who included representatives of the Finnish Government and of Sweden and members of the Finnish and other Scandinavian communities, was Pastor Hedenquist.

ISRAEL PHILHARMONIC ORCHESTRA PLAYS FOR THE POPE

On Thursday, May 26th, the Israel Philharmonic Orchestra, now on a concert tour in Europe, was received by Pope Pius XII in private

audience in the Vatican's large Consistory Hall. The Vatican had readily accepted the suggestion that the orchestra should play for the Pope as a gesture of gratitude for the help the Catholic Church had given to the Jewish people persecuted by the Nazis.

The Pope entered the hall accompanied by two cardinals, and raised his hand in blessing, while the orchestra stood in silence. Mr. Kletzki asked for permission to play the second movement of Beethoven's Seventh Symphony, an agreable surprise, for Beethoven is one of the Pope's favourite composers. After the performance, the Pope applauded and thanked Mr. Kletzki, declaring: "It was marvellous playing. What wonderful artists."

On being told that the Orchestra was composed of musicians from 14 countries and that most of them had suffered persecution, the Pope expressed satisfaction that happiness was born from so much evil.

REQUIEM MASS FOR THE MARONITE PATRIARCH

On the afternoon of May 29th, a solemn mass was celebrated for the repose of the soul of His Beatitude Mgr. Antoun Boutrous Arida, Maronite Patriarch of Antioch and the Whole East, in the church of the Maronite Convent in Jaffa. The impressive ceremony, performed partly in Syriac and partly in Arabic, was conducted by two Maronite priests.

After Mass, Mgr. Vergani, Representative of the Latin Patriarch, pronounced (in Arabic) a eulogy on the deceased. This was followed by an address delivered by the Rev. Shahin, Superior of the Convent, in the course of which he referred with appreciation to the sympathy expressed by the Israel Government towards the Maronite nation in its bereavement.

The attendance included the religious leaders of the Christian denominations in Israel, members of the Diplomatic and Consular Corps, and the District Commissioner of Jaffa-Tel-Aviv, as well as a representation of the Ministry of Religious Affairs headed by Dr. Z. Cahana, Director General.

GREEK CATHOLIC COURT'S COMPETENCE UPHELD BY ISRAEL HIGH COURT

On February 4th, the Supreme Court sitting as the High Court of Justice affirmed the competence of the Greek Catholic Melkite Religious Court to decide on questions of personal status for members of that Community. The competence of the Court had been challenged among other reasons on the ground that some of the judges were not members of the Community, and also that the Greek Catholic Patriarch, residing in Lebanon, which is in a state of war with Israel, was unable to appoint judges to the Religious Court of Appeal exercising jurisdiction over Israel nationals in Israel.

The High Court made its ruling when dismissing an application for an order *nisi* against the Chief Execution Officer by a member of the Greek Catholic Community who had been ordered to pay his wife separate maintenance. In delivering the Court's ruling, Justice Goitein pointed out that the judges of the Court had been regularly appointed according to the regulations of the Community. As to the argument based on the state of war, while the two countries had not yet concluded peace, members of the Greek Catholic Community were not denied religious contact with each other, as evidenced by the freedom of access enjoyed by Mgr. Hakim, Greek Catholic Archbishop of Galilee, to and from Lebanon in order to meet with the Patriarch. Had the State been interested in preventing a foreign Patriarch from exercising jurisdiction over members of his community in Israel, then it would have legislated accordingly. The fact, however, that the Attorney-General, whose duty it is to protect the interests of the State, had asked to be excused from participating in the proceedings before the High Court, indicated to the Court that the State did not object to the appointment of judges in Israel by a Patriarch residing in a foreign country, and did not object to the execution of the judgment by the Chief Execution Officer.

MGR. VERGANI'S VIEW ON THE COURT'S RULING

With reference to this ruling of the High Court, Mgr. A. Vergani, Representative of the Latin Patriarch of Jerusalem in Israel, writes to us as follows: —

"As one who has witnessed the emergence and consolidation of the State of Israel, and also as President of the Court of Appeal which had to deal with the case of Suweidan-Jiday, I am perhaps in a better position than anyone else to estimate the juridical consequences of the decision of the Israel High Court of Justice and its bearings on the Christian confessions.

"This decision finally provides a legal basis for a *de facto* situation, and generously recognizes the principles of canon law and of ecclesiastical practice according to which Christian religious authorities, though residing outside the borders of the State, continue to exercize their religious and other jurisdiction (as in the case of appointing tribunals) in the territory of Israel.

"The matter is of special importance with regard to this particular case; for, as it was a question of maintenance, the ecclesiastical tribunal also acted as a civil tribunal. In fact it was concerned not only with the purely spiritual effects of matrimony but also with its civil effects, and the decision would have to be put into effect by the competent officials of the State.

"The official recognition of the competence of the ecclesiastical authorities — even when residing outside the State — to appoint a Court of Appeal to pronounce sentences in Israel, is a juridical precedent whose import can hardly be overestimated; for, whilst it is no surprise to us that the Judiciary of Israel was able to rise to the occasion by recognising the necessity of the provision, what is even more important is that the administrative arm of the State also obviously wanted to respect this order of things and to admit it, as indicated by the abstention of the Attorney-General from the proceedings.

"We cannot but express our praise and respect for this further evidence of the high standard of Israel's Judiciary and the integrity of its Administration. Indeed we believe that, since the establishment of the State, this is the most important decision that has been made regarding the Christian communities who live within the territory of the State of Israel, and who are therefore called upon to exercise juridical functions therein."*

* The full text of the High Court's decision is given on pp. 40-47.

IMPRESSIONS OF AN ARGENTINE PRELATE

Towards the end of 1954, Mgr. Miguel De Andrea, Bishop of Temnos, visited Israel at the head of a party of distinguished pilgrims from the Argentine. Mgr. De Andrea is one of the foremost ecclesiastical figures of his country, where he has great accomplishments to his credit in the sphere of social welfare, especially through the Federation of Catholic Women's Associations, of which he is the founder.

Interviewed by press correspondents in Tel-Aviv, in Rome and on his return to Buenos Aires, Mgr. De Andrea described briefly the excellent impressions which he carried away from his visit to Israel. Later on, in the peaceful atmosphere of his residence adjoining the church of San Miguel Arcangel, of which, in spite of his high office, he continues to be the curate, Mgr. De Andrea was kind enough to grant an interview to the correspondent of *Christian News from Israel* in which he described his impressions with greater fulness.

The distinguished prelate began by reiterating the point most emphasized by him in his previous statements, that the warm welcome extended to him in Israel, as expressed in the facilities granted to him and his fellow-pilgrims by the authorities in connection with their visits and journeys throughout the country, was one of many exemplifications of the liberty and respect enjoyed by all religions, ecclesiastical dignitaries, priests and places of worship.

Our correspondent pointed to His Excellency that after all there was nothing surprising in such attention having been paid to him, since his work and personality were well known in Israel even before his visit; and asked whether, in addition to the consideration paid to his rank and high office, he had found that the masses and their humble priests enjoyed the same respect and liberty.

Mgr. De Andrea's answer was categorical. It was just that, he declared, which had most impressed him most during his stay in Israel. Everywhere he found evidence of the Government's profound concern for the freedom of worship of all religious denominations and for the absolute normalcy of religious life — with special reference to the Christian sector, with which the Bishop of Temnos was mostly concerned.

"Maybe it has not always been that way", he added, "judging from what others before me have stated. But of what I have seen with my own eyes I can bear witness. I had ample occasion of experiencing ut-

most freedom of worship, and as a Catholic prelate I cannot but rejoice at it. Moreover, neither I nor my fellow pilgrims have come to these conclusions merely from outward appearance. Our impressions were fully confirmed by the testimonies of several Catholic priests who for some years have been discharging their holy duties in Israel".

Mgr. De Andrea mentioned in this connection the Franciscan Fathers, who are in charge of many Holy Places in Israel, and took the opportunity of praising their admirable work, with special reference to the education of Arab children of Christian faith, for which they enjoy the support of the Israel authorities.

There is yet another aspect, the Bishop observed, which shows the concern of the Israel Government for the normalcy of Christian life: the free access to the Holy Places, and the necessary conditions for the celebration of the main solemnities. He was also able to ascertain that this active good will on the part of the Israel Government is not confined to the Christian faith alone. In the mosques, for example, the Muslim worship with absolute freedom and in great numbers. All this, added to the assiduity with which the majority of the Jewish population attend religious services at their synagogues, make up a picture of coexistence which greatly impressed the Argentine prelate. In this regard Mgr. De Andrea pointed out a detail peculiar to the Holy Land: the existence side by side of a great number of Churches of different Christian denominations. He was impressed by the zeal shown by these Churches (Maronite, Armenian, Copt, Orthodox, Greek Catholic, etc.) in honouring Jesus each one in its own way. A typical example of this zeal is the struggle for the Holy Sepulchre. In this respect he added that that which to others appears as shocking seemed to him highly significant; for in spite of all differences and peculiarities they are all anxious to come nearer to God.

As regards the presence of so many different forms of worship in Israel, Mgr. De Andrea added that they all enjoy an equal measure of freedom, the Government extending no special privileges to any of them.

The Argentine prelate participated also in the planting of saplings in the forest dedicated to General San Martin, the greatest hero of his country, and he was particularly moved by this practice of honouring great men with such creative enterprises.

Mgr. de Andrea now turned to a theme familiar to all those who have been in Israel: the work of national upbuilding, which he had the occasion of appreciating during his tour of the country. "It has been said", he added, "that modern Israel is a creation of the mind and that, therefore, the creative work which is still going on there has great spiritual impact on the population. Let us not forget, however, that in a country like the Holy Land, the intense power of suggestion emanating from the past cannot but be a source of inspiration for great achievements, both today and in the days still to come".

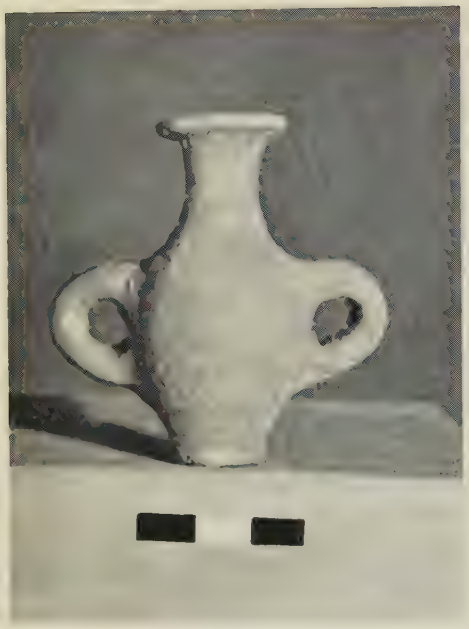
ARCHAEOLOGICAL ACTIVITIES IN ISRAEL IN 1954

By J. LEIBOVITCH
Department of Antiquities, Jerusalem

In the course of the season which ended last autumn, the UNESCO organization contributed in one direction to archaeological activities in Israel by appointing two experts: M. Guillaume Gillet, architect, holder of the French Government's diploma and of the First Grand Prize of Rome, and Professor Theodore Orselli, director of the Fine Arts Academy of Ravenna, expert in mosaics. During their six-months stay in Israel, it was the task of the former to contribute to the improvement of the town-planning of ancient sites, and of the latter to teach the methods in use in the restoration and preservation of mosaic pavements, and incidentally also of ancient frescoes.

At Ramath Rahel (near Talpioth) an excavation was made by the Antiquities Department under the leadership of Dr. Yochanan Aharoni. The workmen were supplied by the Ministry of Labour. The site facing the road leading from Jerusalem to Bethlehem is possibly to be identified with Netopha, which is specifically mentioned in the Books of Ezra and of Nehemiah. It was inhabited from the period of the First Temple until the Byzantine period. The complex of buildings comprises the ruins of a Byzantine church of considerable size with mosaic pavements, under which there was once a wine-press, and several adjoining rooms. On the other side of the Tell, Dr. Aharoni found the ruins of the wall of a town, probably of the Hellenistic period, with its western gate. Under Byzantine and Hellenistic remains

1. *General view of the excavation field at Ramath Rahel (Dr. Yohanan Aharoni)*



1. *Pottery vase of miniature size, from Nahariya (Moshe Dothan)*

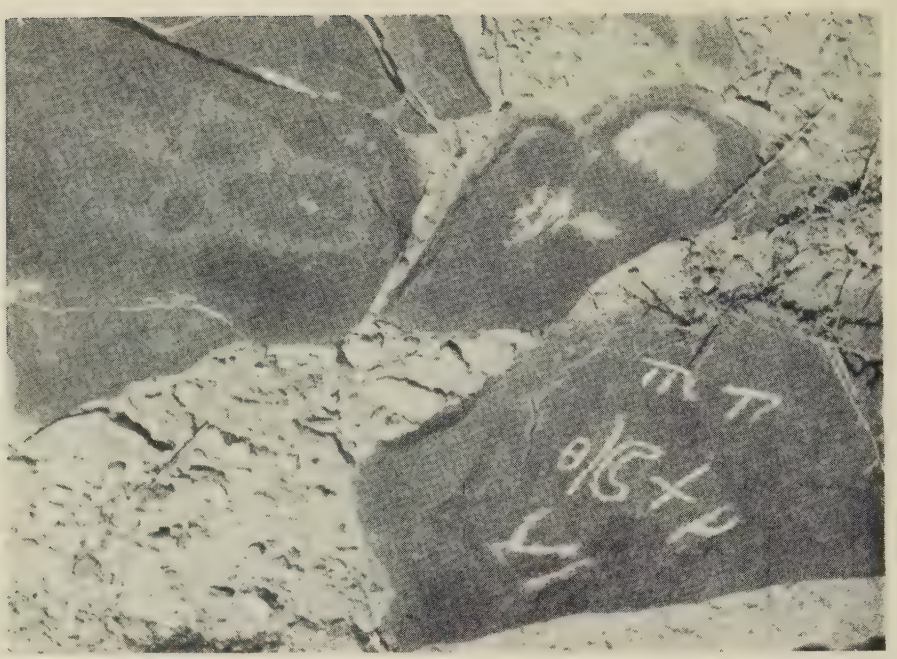
2. *Pottery vase, the neck of which is decorated with a sculptured ape, from Nahariya (Moshe Dothan)*

3. *Silver figurine of a Canaanite female goddess, from Nahariya (Moshe Dothan)*

4. *Ring bearing an Egyptian Scarab of the "Hyksos" type from Nahariya (Moshe Dothan)*

1. *Pottery lamp bearing a Samaritan inscription, from Beith Shan (Nehemia Zori)*

2. *Fragment of a pottery lamp bearing a Samaritan inscription, from Beith Shan (Nehemia Zori)*



1. *Rock inscriptions from the Central Negev (Emanuel Anati)*

3. *Ivory statuette representing a nude man found at Beersheba (Jean Perrot)*

2. *One of the mosaic floors from Hanita (Moshe Prausnitz) now restored by Mordechai Gumpel*

there were discovered the ruins of a fortress of the period of the Judean Kingdom. This is perhaps the most important discovery of the season. The ruins, which are situated in the northern part of the Tell, cover an area of about five dunams. Near one of the walls two complete proto-Aeolian capitals were found, similar to those discovered at Samaria and at Megiddo. To judge by the numerous potsherds which were collected on the site, it is probable that the building was erected in the ninth or eighth century before the Christian era. A certain number of jar-handles were found bearing seal-impressions. Most of them are inscribed in Hebrew script of the period of the First Temple and of the return from the Babylonian Exodus. The excavations will be resumed next spring.

At Wadi Fallah, about twelve kilometres from Athlit, excavations were carried out on behalf of the Antiquities Department by the Misses E. Yeivin and S. Barkai and Mr. Y. Olami under the direction of Dr. M. Stekelis of the Hebrew University. Stone circles were discovered on the terrace in front of the cave; their diameter is about 3 metres. The flint axes found in these circles are of the Tahunian type. In a lower level under these structures were found human burial-places, the skeletons being in the "contracted" position. On one of these skeletons lay a stone which weighs more than a quarter of a ton. One of the burial-places contained funerary equipment. The flint implements in the lower levels belong to a microlithic industry, probably one of the unknown phases of the Natufian civilisation.

At Kabbara near Zikhron Yaqov Dr. M. Stekelis has concluded the third season of excavations on behalf of the Hebrew University and the Antiquities Department. A number of floors and hearths were uncovered which belong to the Middle Paleolithic (Levallois-Musterian). In the course of the work Dr. Stekelis found that in that spot the continuity between Upper and Middle Paleolithic had been uninterrupted.

Work was resumed at Caesarea by the Department of Antiquities. Mr. S. Yeivin was the field-director, assisted by Mr. S. Levy. The excavation was widened around the porphyry statue, where a complex of rooms of the Byzantine period was cleared. The sand which covered part of the pavement of re-used fragments of green marble was also removed and thus the marble-flagged courtyard is now entirely cleaned. The courtyard is flanked at its north-eastern part by the two well-known statues.

While making repairs at a mosaic floor under the supervision of Professor T. Orselli, close to a building which was used as a library by the Qibbutz of Hanita, Mr. Mordechai Gumpel found that the floor extended beyond that building. The Department of Antiquities sent Mr. Moshe Prausnitz to the place, and he continued the excavation at the periphery of the existing mosaic, which had been cleared in 1938 in the period of the Mandate. An old tree had grown across the mosaic, which was composed of drawings of great variety and richness, — strapwork of geometrical patterns, central rosettes also composed of geometrical patterns and mixed figures, etc. Mr. Prausnitz continued to dig as far as the ancient basilica's foundations.

At Ayyelet ha-Shahar, east of the Qibbutz bearing the same name, some levelling was carried out in the course of which the workmen came across ancient remains. The Department of Antiquities carried out an excavation at the spot. Mr. Yeivin, who, assisted by Mr. Levy, directed operations, discovered the centre of the stores of the ancient town of Hazor in Upper Galilee. This is the first time that a quarter of an ancient town, consisting of large stores or depots, has been uncovered. The buildings are of the Israelite period dating from the VIIIth to the VIth century before the Christian era. These stores were probably used by the cavarans crossing the desert, or belonged to a garrison which was perhaps established there.

In the course of works executed about 800 metres south of Beith Shan, an ancient lamp was discovered, and the Department of Antiquities proceeded to carry out an excavation under the leadership of Mr. Nehemia Zori. The ruins of the building cleared by him seem to have been an ancient pottery-workshop associated with an iron industry. The building consisted of a big room of about eight by twelve metres with traces of four pillars which should have supported an archway. The most important object discovered in the course of these excavations was a fragment of a pottery-lamp bearing a Samaritan inscription. The building is to be dated at about the VIth century of the Christian era. A kiln for the baking of the pottery adjoined the building, and among the numerous potsherds and lamps Mr. Zori also found a potter's wheel.

At Nahariya, at the spot where Dr. Emanuel Ben-Dor had carried out an excavation in 1947, Mr. Moshe Dothan continued the work for the Department of Antiquities. He was assisted by Mr. L. I. Rahmani of the same Department, and, for the first part of the excavation, by

Dr. Helene Kantor of the Oriental Institute of the Chicago University. The excavation was made possible thanks to the collaboration of the Ministry of Labour of the State of Israel.

The complex of ruins which was excavated proved to be the courtyard of a Cananean temple dedicated to a female maritime divinity, perhaps the Ashera of the seas. An altar was found facing the high-place, and its date revealed itself as that of the XVIIth to the XVth century before the Christian era. The structure of the temple is circular with a diameter of about 14 metres; a flight of steps leads to the centre. Animal bones were found spread on the floor as well as pottery (entire and broken). Mr. Dothan found among this pottery a series of small vases of various shapes but of miniature size, incense-burners, and a number of seven-cup vessels which are believed to be offering vessels, perhaps intended for oil offerings. All these objects must have been of daily use, but very probably served ritual purposes. Among the offerings were a number of silver figurines, most of them female and some male, representing Cananean deities. Mr. Dothan also found some jewels of gold and silver, beads, and a ring bearing an Egyptian scarab of the "Hyksos'" type. Of particular interest is the neck of a pottery vase, decorated with a sculptured ape. Objects revealing a similar civilisation have been found at Megiddo, Byblos (in the Lebanon) and Ras-Shamra (in Syria).

In the central Negev, Mr. Emanuel Anati continued his series of explorations. This time he discovered new Thamudean, Nabatean and Kufic inscriptions as well as new rock drawings, dwellings and some small villages of the Byzantine period. He located two new Israelite sites with remains of masonry. He saw also some megalithic constructions and he picked up potsherds dating to the Early Bronze Age.

At Beersheba the French archaeological mission in Israel has conducted a fourth excavation campaign with the help of the Antiquities Department; the work, directed by Messrs. Jean Perrot and H. de Contensen, was concentrated on the site of es-Safadi, neighbouring that of Abu-Matar which was excavated last year. Here too is the site of a chalcolithic village. The most ancient dwellings were artificial caves, cut in the clay and communicating with each other through tunnels; access to them was gained through vertical shafts and a horizontal gallery. Then came other houses, simple holes covered at the ground's surface by a roof supported by logs. About the end of that period, these dwellings were replaced by rectangular houses rest-

ing on stone foundations, one of which exceeded 20 metres in length and 6 metres in breadth, and opened at one end on a portico with a double post range.

The furniture of these houses comprised abundant ceramics, stone and bone tools, also some of copper. Among the most interesting finds was a bone statuette 33 cms. high, representing a nude man standing, of a remarkable make, probably a domestic idol; a deposit of objects in a tunnel comprised a pink marble palette for face make-up, a small jar containing weapons of hematite, and several thousands of frit beads.

A CHRISTIAN'S VIEW OF ISRAEL

By Rev. POUL BORCHSENIUS ...

Rev. Poul Borchsenius was born in 1897 in Odense, on the island of Funen, Denmark, He received his theological degree from the University of Copenhagen in 1921, and served as a clergyman in Copenhagen and later in Randers, Jutland. The only interruption to his work in Denmark itself was during World War II, when as a member of the Resistance Movement he had to flee occupied Denmark, and served in Sweden as chaplain to the Danish Brigade. His works include, *inter alia,* "The Sun Stood Still" (1950), describing the establishment of the State of Israel, "Son of Stars", (1952) a history of the collapse of the ancient Jewish State, and "The Three Rings", (1954) dealing with Medieval Spanish Jewry, all of which have been acclaimed by the critics and a wide reading public for the author's knowledge and understanding of Judaism and Jewish history throughout the ages.

A couple of years ago I was lying ill in my home town. I had been through a serious operation, but I felt that there was still something else which was wrong. The doctors examined me thoroughly, and one day the head physician came to see me and told me that they had found some dangerous disorders, which necessitated another and still larger operation, and he could not promise me that I would live through it. That was on a Friday, and the new operation was fixed for Wednesday, so I had four days to put my affairs in order.

What does one do on being told that one may have only four days left to live? Among other things, one writes a few letters to far-away friends, thanking them for everything they have meant to one. I sent such a letter to a close friend in Israel, whom I had met some years earlier, and whom I valued highly.

Well, the operation took its course, everything went better than we dared expect, the doctor even spoke of a miracle, and I was progressing towards complete recovery. Then, at last, a reply came from distant Israel. My friend wrote that he and some more acquaintances of ours had gone to a synagogue to pray to the Almighty on my behalf. "May this prayer be well received in Heaven. Amen," the letter concluded.

The reason why I am relating this rather personal experience here is that, to me, there seems to be something sublime in the picture of a group of Jews, praying in Jerusalem for the life of a Christian clergyman in distant Denmark, — a prayer which was heard. This picture is proof that here is something which is higher and greater than even our highest and greatest visions, that Heaven towers above all the gulfs and chasms which divide men. And I believe that both Jews and Christians should view each other in this spirit. In this way, our meeting together may produce something of value to both parties.

We Christians have become accustomed to see Judaism as something concluded and ended, which ought to be regarded as a thing of the past. According to this line of thought, the best thing for the Jews would be to get themselves converted to Christianity as soon as possible. And the Jews, for their part, carry with them so many bitter memories of Christian outrages that they are instinctively on their guard against anything that bears the sign of the Cross. But haughtiness and pretence of superior knowledge are but symptoms of spiritual fossilization, from which no future can grow. Only when one knows that nobody can reach beyond the stage of "never finished, always on the road of further development", can one have the open mind into which seed-grains are blown, from which new flowers may germinate. I have tried to meet Israel in this spirit, and I have been enriched by it.

* * *

Five years ago I came to Israel for the first time. On board the ship I read Arthur Koestler's book on the establishment of the State of Israel, "Promise and Fulfilment", which is brilliantly and elegantly written, but which reveals a frightening and hardly credible superficiality as soon as it deals with spiritual values. This is the case concerning the author's reflections on the Hebrew language, but it is most conspicuous in his description of religious life in Israel.

Koestler considers it a matter of course that the people in Israel has rid itself of contact with religious life, that religion is reduced to having to find shelter in small, isolated circles, which will shrink even further because the next few generations are going to desert them. On this view, the Jewish faith will have largely disappeared within a few decades from what was once called the Holy Land.

It is rather an understatement to say that these dreams have no foundations in reality. Of course there are circles, even wide circles, in the population of Israel, which are far away from the religion of their fathers. This applies to all modern nations. How could Israel possibly avoid being hit by the tidal wave of secularisation, which has, increasingly, washed over the world ever since the days of the Renaissance? However, it is *my* impression that its effects have been weaker here than in most other places, where I had the opportunity to study this development at first hand.

I remember my first morning in Tel Aviv. I hurried down the stairs to get the fresh morning air in the street. I stopped so suddenly that one of my feet remained in the air. I was listening to the sing-song chant of a man who performed his Hebrew morning prayer in one of the apartments in the building. Also, in a kibbutz,I shared a guest room with a young man, who every morning quite naturally put on his t'filin (phylacteries) and performed his devotions. It was only the first few times that I was startled by experiences of this kind, so enormously different from the shy manner in which we are accustomed, at home, to shut doors and hide when praying to God, — but gradually I came to understand how natural and how common it is.

It is well known that the Bible is the most widely distributed and, in relation to its circulation, the least read book in the world. The Hebrew Bible, which we Christians call the Old Testament, and which here in Israel is caled the T'nach, — since t, n and ch are the initials of the Hebrew names for the Books of the Law, the Prophets and the Holy Writings — this Hebrew Bible is to be found in almost every home in Israel. It is characteristic that one of the big dailies inserted coupons in the newspapers, which the readers could collect, and 50 of which entitled any reader to receive a Bible. The publishers thought that the chance of acquiring a Bible might stimulate sales, and so it did. The initial effort resulted in 20,000 Bibles being distributed, and because of this success further efforts followed.

And the Bible is being read, as it must obviously be here, since it is so much connected with everyday life. Reading the Bible comes

much more naturally in this country than anywhere else. The place-names which it refers to are something real here; everybody has been to them and seen what they look like. The Holydays of the year have their origin in the Bible, and it is the nation's own history which is narrated. I remember that, before setting out on my first journey to Israel, I inquired which books I should take with me. Just one, was the answer, the Bible; it is our geography, our history, our religion, — everything is in it.

And the language in which it is written is that of everyday life; to the children and the young it is their mother tongue, which is so much alive in them that they dream in Hebrew. Also, it *is* a privilege to be able to read the Bible in its own language, since even the best translation can be but a translation and can never fully measure up to the original.

It is impossible to speak about Judaism without mentioning the Sabbath. When Princess Sabbath makes her entry on Friday evening at sunset, one can clearly see how the ancient traditions of Judaism are guarding the life of the nation. The busy life calms down; cars, trains, buses go to rest; solemnly-dressed men are on their way to the synagogue, and if one glances through the windows into the homes, one sees the lights burning on the festive tables with the two loaves and the bottle of wine. Of course, there have occurred controversies about the Sabbath, and of course casuistic interpretations of the Sabbath Law may sound odd to the outsider. But the impression remains that the Sabbath is one of God's finest gifts to His human creatures, and that Christianity would do well to observe it better than it actually does.

These were just a few impressions, which forcibly strike the stranger. I shall not here analyze in detail the influence of the Jewish religion on the life of the people. I have written books on that subject, and it cannot be covered within the short space of an article. But the essence of it all is that a nation whose mind has, for millenniums, been ploughed with the plough of faith and religion, does not turn atheistic within a couple of generations. In saying this I am not including the idea of what we call Divine election, with which I shall deal below.

But I must recount a small episode, which is droll, but full of meaning. In a kibbutz I was being shown round by one of the country's high officials, who explained everything to me, and who was a Doctor of Philosophy: "Do you see the old man over there," he said, "he's got a hat on, that means that he's religious." And he went on

to say that he, of course, had dispensed with religion long ago. People with Western European education had no use for such outdated ideas.

"But," he continued, "we are tolerant, and of course we provide backward people with reasonable opportunity and liberty to worship according to their own idea. That is why we have established a synagogue for this man and those who share his views here in the kibbutz".

I was interested in finding out what religion meant in Israel, so I asked as many as I could, and kept a small card-index to record their replies. I now made a new card, on which I noted down the comments of my guide.

A couple of months later it was Pesach. I was in Jerusalem and went to the big Yeshurun synagogue. I was deeply impressed by the hundreds of men in the immense hall, as they stood with their prayer-shawls over their heads and chanted and sang the Hebrew prayers and psalms while swaying their bodies. I was overwhelmed as I looked around me. Then suddenly I started. A short distance away from me a man was praying and singing with great fervour. I seemed to know the face, but told myself that I must be wrong, it just couldn't be he. Still, I moved closer and had another look. Well, it *was* he. It was my friend from the kibbutz, who had spoken so brusquely of religion, and who was praying with unsurpassed intensity in the synagogue this Pesach day. Oh, yes, old memories and deep currents in soul and mind do break through to the surface, when the occasion arises.

When I came home, I tore up a card from the card-index and wrote a new one.

* * *

During the years following Israel's War of Liberation, Christian missionaries have started a regular offensive against Israel. From many countries missionnaries were sent in order to try to convince the Jews in the Holy Land of the Christian faith. This, of course, was done from the best and warmest motives — but perhaps those concerned should have thought more carefully before setting to work to this extent.

The first results, in any case, were violent reactions from orthodox Jewish bodies. These even began to organize in order to try to enlist the support of public authorities. It has been pointed out that certain foreign missions are using doubtful methods. For instance, they are trying to "buy" souls by means of food parcels and clothes. Or they

positively arrange immigrant visas to countries where conditions of life are easier than in Israel; but — the applicants for such visas must be baptised first. As far as I can make out, these accusations — believe it or not — can be proved in certain isolated cases.

Of course, there is no need to be worried by such methods. A real and true spirit is not affected by them; and those who are for sale at such a price are no loss to those who are rid of them. Much more serious is the reflection on the Christian missions who apply methods of this kind. But, of course, these are so isolated and so few that one need not be too much concerned about them. They should only realise that the picture they present does not look too well.

But there is another and very different consideration; and that is, that at the moment Israel needs to be let alone. This little country has been through such violent crises that it isn't quite fair to impose new ones upon it. Also, the absorption of the almost countless masses of immigrants from completely different countries means, above all, that the country and the nation must rally around anything that can *unite* the divided tribes of Israel. Why then create new barriers just now, in a time of crisis? Hadn't Christian missions better wait and see, until a more suitable moment at least?

The question is whether one ought to conduct Christian missionary work among Jews at all. There is a secret hidden in this nation, which God chose, once upon a time, to be His. Why does it continue to exist? Despite persecutions and catastrophes and exile, it raises its head every time and is still alive. It is the only example of such vitality and will to live. Hundreds of peoples, who went through much less than the Jews suffered, were subdued and disappeared. One may try out many explanations; but the last and final one, the one that cannot be proved and is nevertheless the real one, is the mystery which is called Divine election. Is it not God Himself, who took care that His people remained alive, alive as Jews? Is it not He, Who prevented its being assimilated and absorbed by Christianity? Must we not suppose the reason to be that He — in some way, which we small and half-blind human beings can neither predict nor judge — needs it, just as it is? After all, our very generation has witnessed how strangely God intervened in its fate.

It is a historical fact that the Jewish people was exiled for almost 2000 years. For some reason or other the doors to its ancient country were slammed and locked, and the people had to roam foreign countries without having a place of its own.

But during the last half century the doors to Palestine gently began to open. And the day came, in 1948, when they were thrown wide open, and the dispersed tribes began swarming through them, to their home. The sons took possession of the land of the fathers.

An old legend seems to me to throw light on these things:

When Titus and his legions, almost 1900 years ago, were storming Jerusalem, they set the Temple of the Lord on fire. The flames leaped up around the white walls, the smoke drifted over the whole area, and one part after another of the sanctuary collapsed. The last surviving priests of the Temple had sought refuge on the roof. They had to retire farther and farther towards the extreme merlon because of the spreading fire. Clad in their white robes with blue bands they were standing in the smoke, but they became fewer and fewer as one after the other was swallowed up by the fire and sank down.

At last only one was left. He was standing on the only remaining corner on the last remaining part of the building of the Temple. When he was altogether surrounded by the flames, he threw the golden key of Jerusalem up towards Heaven, and as he fell into the burning depth, he cried out towards the sky, "Lord of the World, now You must guard Your city Yourself."

And, the legend continues, in that moment a hand reached out from Heaven, it caught the key and drew it back into the deep blue.

We have seen a glimpse of the golden key of Jerusalem in our time. God has opened a door which was locked for countless years.

Thus it will happen once more — in 10 years, in 10,000 years, we don't know when — that God will show us again the golden key of Jerusalem.

On that day He will open the door between the two great religions, Judaism and Christianity, the mother and the daughter, who went each her own way, because God needed them each in her way. But on that day they are going to find each other, and the mother will have presents to give her daughter, and the daughter will have something to tell her mother, which will gladden her heart.

It is not strange that those, who have dared in their dreams to reach out towards that day, have known that by then a New Heaven will arch over a New Earth.

But we small human beings ought not to try to open such closed doors before the hour of God.

ENCYCLOPAEDIA BIBLICA: Thesaurus rerum biblicarum alphabetico ordine digestus. Ediderunt Institutum Bialik et Museum Antiquitatum Judaicarum. Tomus secundus Beth ad Zain litteras complectens. Hierosolymis MCMLIV.

When the Biblical Encyclopaedia was first planned, there were those who questioned whether our generation was capable of producing a massive work of scientific Biblical scholarship in readable form. And even although the first volume — embracing only titles beginning with Aleph — testified to the high level of Israel research, doubt was felt whether the enterprise could be carried through within the scope and according to the timetable envisaged by its founders. Moreover, soon after the first volume appeared, there passed away two of Israel's outstanding scholars, Professors M. D. Cassuto and E. L. Sukenik, who had taken an important part in the launching of the project. But now, with the appearance of the second volume, these doubts and anxieties are allayed; there is now good ground for hoping that the project can be realised, and that the planned five volumes will all have appeared within a reasonably short space of time.

From this second volume, covering the letters Beth to Zayin, the plan of the entire work can be discerned. This plan is unique. We are offered not a mere collection of articles dealing either fully or summarily with Biblical topics, but a large and comprehensive treasure-house of all the data and the recent discoveries which can widen the horizon of our knowledge of the world of the Bible. Moreover, the work fully reviews the results of those related studies, such as Archaeology, Ancient History, Historical Geography and Semitic Philology, which shed new light on the Bible scene and without which a full understanding of the Scriptures is unattainable.

This is the new and typically modern approach. Our scholars of today, unlike those of earlier generations, are close to the Biblical reality: they are living in the same land, walking on the same paths, viewing the same scenery, speaking the same tongue, as the great preachers of Monotheism of old. No wonder, therefore, that they have evolved a new method. They have rediscovered the East of antiquity, woven their discoveries into one pattern depicting the early culture of the nations of the region, and thus opened new paths to an understanding of the world of the Bible.

Typical of this method is the fact that the longest article in the present volume is on "B'niyah" (Construction), which is not a Biblical topic in the strict sense: indeed the very word is not to be found in the Bible. The article deals with archaeology, giving the reader basic facts which will help him to understand the Scriptures against the background of their own times. Similarly, the length of many other articles depends not so much upon the importance of their topic in the Bible itself as upon the amount of new information they offer in the fields of archaeology and history. For example, of the two cities Gat-Plishtim and G'val, the former, though mentioned scores of times in the Bible, is discussed briefly, while the latter, though referred to only once as a city, is given exhaustive treatment by the greatest living authority on Eastern antiquity, Professor Albright. Typical Biblical subjects like "Beliyaal", "Goyim", "Hor-Hahar" are given short articles; others, like "Gilgamesh" and "Birosus", not mentioned in the Bible at all, are treated at length.

Many of the articles are of such length

and scope that they may well be regarded as independent studies. Written by some of our greatest scholars, they offer a comprehensive review of theological problems and often suggest new solutions. For example, Professor Yehezkel Kaufman, in his article on "The Religion of Israel", sums up his conception of the whole world of the Bible. He covers the period from the beginnings of Monotheism in Israel until the development of the religion during the period of the Second Temple; and within this framework he plunges into powerful and conclusive argument against those scholars of the latter half of the last century, to the refutation of whose ideas he has already in other writings so largely contributed. Of comparable scope and importance are the articles on "Biblical Theology of the Old Testament", "Religions", "Manifestation of God", "Cosmology", and many other subjects. ...

Among the specifically Biblical articles one may enumerate "Bereshith" (Genesis), "Bamidbar" (Numbers), "Vayikra" (Leviticus), "Devarim" (Deuteronomy), "Divrei Hayamim" (Chronicles), "David", "Daniel", "Beracha" (Blessing), "Divroth" (Ten Commandments). Many of these were written by the late Professor Cassuto; like his earlier publications, these last writings of his bear the stamp of his gracious personality and of the charm of his original method, unique at once for its depth and its simplicity.

The volume is embellished by nearly a thousand sketches, pictures, maps and charts, finely drawn and reproduced, and at the same time fitting into and furthering the general plan.

Thanks to the clarity of their style and treatment, most of the articles in the volume will be found of interest to scholars and ordinary Bible lovers alike, and should thus contribute greatly to a deeper understanding of the Bible among readers throughout the world, especially after the completion of the projected translation of the work into English.

Daniel Carpi

O T Z A R HA-MEGILLOTH HA-GENUZOTH (Thesaurus of the Hidden Scrolls), edited by E. L. Sukenik, prepared for the Press by N. Avigad. Mossad Bialik and the Hebrew University, Jerusalem, 1954.

Owing to the particular circumstances of their discovery by unlettered Beduins, the famous scrolls hidden in a cave in the vicinity of Kh. Qumran south of Jericho and near the Dead Sea, were split up among two purchasers; and it is only quite recently that they have been reunited in the hands of the legitimate heirs, the People of Israel. Part of the find, consisting of a fragmentary text of Isaiah, and two other scrolls, were acquired in 1947 by the late Prof. Sukenik for the Hebrew University. Prof. Sukenik planned to publish the texts with a full commentary, profiting from the discussion centred on the remainder of the scrolls, then in the possession of the St. Mark's monastery. The latter were promptly published in facsimile and transliteration by the American Schools of Oriental Research and thus became the property of the whole learned world. After Prof. Sukenik's death in 1953 the authorities decided to follow the American example and the present volume is the result of this decision. After a short preface, condensed from two of Prof. Sukenik's preliminary publications and various technical indications, the text is presented in facsimile and in transliteration. As a result of the use of prefaces published several years ago, various errors of fact have naturally been left standing, several of which are corrected in footnotes by Dr. Avigad, while others have remained. Such minor details do not, however, mar the principal value of this publication,

viz. the fact that after eight years these precious texts are now available to all scholars.

The Qumran texts have from the beginning attracted the attention of two different groups of the learned. The Biblical texts have naturally interested Biblical scholars, who found themselves in possession of a version almost one thousands years older than the hitherto known Massoretic text. To the general surprise the scrolls present a text almost identical with the common one, an outstanding testimony to the scrupulousness of the Hebrew scribes of old. While the previously published text of Isaiah presents a multitude of deviations of spelling, the fragment now published (mainly chapters 52-61) follows the Massoretic spelling; the list of important variants published here does not exceed 84, and most of them are quite minor variations and usually for the worse, although in a few cases (e.g. חשקה for עשקה in MT, xxxviii, 14) the present version seems an improvement.

The other group interested in these scrolls are the historians of the Period of the Second Temple; and possibly also the historians of Christianity. A word of warning might not be amiss here. Historians of the Roman Empire have to weigh carefully the evidence so as not to give the province of Egypt an unduly prominent place, just because owing to the accident of climate the evidence of papyri preserved in Egypt is far in excess of the material from other parts of the empire; a conscientious historian must therefore discount the evidence from Egypt in order not to give it excessive weight and thus distort the historical picture. The case of the Dead Sea scrolls is analogous: after all we have to deal here with a small and obscure sect which can hardly have influenced much the main trend of Jewish history and which was almost completely forgotten (even if we allow its identification with the Essenes). Moreover, although the documents preserved are first hand evidence, yet owing to the circumstances under which they were written, they are full of obscure allusions to contemporary people and events, so that their date has to be established on the basis of external evidence, viz. the excavation of Kh. Qumran itself. On the other hand the scrolls open a window into the perfervid atmosphere which accompanied the last period of the Second Temple with its multitude of sects. We thus acquire a direct glance into the spiritual atmosphere from which arose that world wide religious phenomenon, the Christian religion.

The more interesting of the two texts published here for the first time is the scroll describing the "War of the Sons of Light and the Sons of Darkness". This is an apocalyptical composition of uncertain date (Prof. Sukenik regarded it as pre-Hasmonaean, his son Dr. Yadin as of the Roman period; other scholars have assigned it to the period of the Maccabees). As obviously no apocalypse, however fanciful, can entirely dissociate itself from the contemporary atmosphere, we have here plenty of most valuable details as to the organisation, tactics, colours, signals, armament, etc. of the Jewish army of the period. The elucidation of these details requires a prolonged study, combining linguistic and tactical data to an unusual extent; but once the substratum of historical fact is extracted from apocalyptic fancy, we should have some most valuable information on an almost unknown subject.

The third scroll, the so-called "Thanksgiving Hymns", are a series of songs, apparently composed by one of the leaders of the sect. They are interesting as providing us with much information on the theology of the group, its doctrine of election by grace and its dualism (which is also very strongly in evidence in the

"War" scroll). Their literary merit is inferior to that of the Psalms, as is only natural; the latter are an anthology, i.e. the editors had a whole literature to pick and choose from; naturally the quintessence of a hundred poets is superior to the work of one man only. Nevertheless we may expect much information on the religious atmosphere of the first century B.C. and A.D. from these texts; i.e., on the formative period both of normative Judaism and Early Christianity.

The editors should be congratulated on a fine piece of scholarly work which is opening the doors to long and, let us hope, fruitful research.

M. Avi-Yonah

THE SUN STOOD STILL. By Rev. Poul Borchsenius.

"The Sun Stood Still" by the Reverend Poul Borchsenius is an allround account of the developments leading to the establishment of the State of Israel and a description of conditions and prospects for that country as the author saw it during his first visit in 1950.

In the preface, Borchsenius recalls from his early school days that the maps of his native Denmark and of Palestine were hanging together on the wall of the class-room, and that this created an impression in his mind which has remained ever since. His book on the Jewish state is marked by a personal and almost sentimental attitude towards his subject. He seems to participate personally in the events and circumstances which he describes, rejoices in successes, regrets failures and shortcomings, prays for further achievements and progress.

However, the Reverend Borchsenius has not let his sentiments run away with his book. Though, again in the preface, he points out that ". . . it has not been my intention to present a strictly objective or a complete account of the extremely complicated problems in connection with Israel," he manages, in 230 pages, to provide a very considerable quantity of solid information in a wide variety of fields. He manages, despite his personal approach, to be correct and matter-of-fact in the presentation of facts. A spade is called a spade, and though the composition is marked rather by the author's narrative style than by an attempt to fit the book to serve as a reference book, the reader, after a most absorbing perusal, is equipped with knowledge about the history of the country from ancient times to this day. The book goes on to describe the geography of Israel, with references to events of both the Old and the New Testament, its climate, its decline, the rise of the Zionist Movement and its political, educational and pioneering activities. Then follows an account of the establishment of the Jewish state, the Israel War of Liberation and mass immigration, the latter subject providing an opportunity for a dramatic account of the conditions of life of Jewish tribes in such countries as Yemen or Libya. It is in line with the general attitude of the author that he goes into detail about the question of the mentioning of God in the Israel Declaration of Independence.

The latter part of the book contains a presentation of leading personalities and institutions in the new state, in which connection we often turn back both to comparisons with men and events in Biblical times and to the violent last years of the British mandate (e.g. in connection with the political successsors of the late terrorist movement). Much space is devoted to religious problems both of the Jewish majority and of minorities such as Moslems and various Christian denominations, including Maronites and Druze; in this connection the author deals, also, with the general position of the Arab minority and states his very broad-minded view of eventual developments of Chris-

tian-Jewish relations. Another important section is devoted to Israel's cultural and scientific institutions as well as to the revival of the Hebrew language; the kibbutz movement and the development plans for Israel, with special emphasis on the Negev, are discussed, too, and in connection with a description of everyday-life in Israel in 1950 with its rationing, security measures and immigrants' camps the author even, without being a specialist, presents the fundamental facts about the economic situation, foreign trade, etc., at that time.

Some of the information in the latter section is, unavoidably, out of date by now, but one looks forward with interest to the author's forthcoming book on a recent visit. In "The Sun Stood Still" he has, though not in a very systematic manner, managed to provide a much more complete account than, apparently, he intended, and it is to be regretted that the book is available only in the Scandinavian languages, whereas, in most respects, it compares rather favourably with literature on the new Jewish state, which has been published elsewhere.*

"Son of Stars", a history of the Jewish revolt against Rome 132-135 A.D., and "The Three Rings", an account of the achievements and sufferings of medieval Spanish Jewry, are, as "The Sun Stood Still", remarkable for their captivating narrative style and for the profound knowledge and understanding of Judaism and Jewish history,which is demonstrated.

Werner David Melchior

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* The book is illustrated with about 30 photographs and an abundance of anecdotes.

GREEK CATHOLIC COURT'S COMPETENCE

RULING OF HIGH COURT OF JUSTICE

FAKRY KAMIL JIDAY — Petitioner

v. The CHIEF EXECUTION OFFICER HAIFA DISTRICT COURT
First Respondent

and

KALIR HANA SUWEIDAN
Second Respondent

Israel: Supreme Court sitting as the High Court of Justice.
February 4, 1955

Agranat, Goitein and Berenson, JJ.

The Facts: The second respondent, the wife of the petitioner, had claimed maintenance against her husband in the religious court of her community, the Greek Catholic Melkite Community. The religious court gave judgment in her favour and the petitioner, her husband, appealed to the Court of Appeal of the Community. The Appellate Court confirmed the judgment and ordered the petitioner to pay to his wife the sum of IL. 90 (Ninety Israel Pounds) per month as follows: IL. 60 monthly, commencing April 1953 and the balance from his share in his father's estate, due after the father's death. The second respondent duly applied to the first respondent to execute the judgment. The petitioner thereupon opposed the execution of the judgment. The Execution Officer rejected the opposition. Accordingly a petition was presented to this Court and an order *nisi* was granted calling upon the first respondent to shew cause why he should not refrain from executing the judgment of the religious court of October 22, 1953. On the return day arguments on behalf of the petitioner and the second respondent were heard.

Held:— that the order *nisi* must be discharged. The reasons appear more fully in the Order of the Court which was given by Goitein, J., who said:—

"The applicant based his case on three main grounds:

1) The religious court which gave judgment does not bear the same name as the tribunal mentioned in the Palestine (Amendment) Order in Council, 1939 (Supplement No. 2 to the Palestine Gazette No. 898 of 29th June, 1939, page 459);
2) The three Judges who composed the Court of Appeal were not members of the religious Community to which the parties belonged;
3) The Patriarch who appointed the members of the Court of Appeal resides in Lebanon and is therefore considered as an enemy.

By the Law of Israel, therefore, he may not appoint judges to sit in Israel. The arguments of the second respondent in reply to these contentions may be summarized as follows:

1) The Community uses several names but there is only one Melkite Community and the court which sat in the present case is the court of that Community;
2) According to the regulations of the Community, Catholics who are not

members of the Melkite Community may be appointed as judges of the Appellate Court.

3) The Patriarch is not an enemy. The State of Israel raises no objection to his activities as Head of the Melkite Church. The State of Israel permits his representative in Israel, Bishop Hakim, to cross to Lebanon in order to meet the Patriarch.

We will deal with the petitioner's three submissions in the order set out above. As to the first submission:

Article 51 of the Palestine Order in Council of 1922, prior to its amendment, read: 'Subject to the provisions of Articles 64—67 inclusive, jurisdiction in matters of personal status shall be exercised in accordance with the provisions of this Part by the Courts of the Religious Communities established and exercising jurisdiction at the date of this Order'. The words 'established and exercising jurisdiction at the date of this Order' were deleted by the amendment of 1939 which also inserted a list of nine Christian Communities and the Jewish Community as follows:

The Eastern (Orthodox) Community.
The Latin (Catholic) Community.
The Gregorian Armenian Community.
The Armenian (Catholic) Community.
The Syrian (Catholic) Community.
The Chaldean (Uniate) Community.
The Jewish Community.
The Greek Catholic Melkite Community.
The Maronite Community.
The Syrian Orthodox Community.

From this list it is clear that there is only one Melkite Community and there is no other community the name of which at all resembles the Greek Catholic Melkite Community.

The judgment of the Court of Appeal was issued in the Court's note paper. The heading in Hebrew read: 'The Religious Court of the Catholic Community'. In the Hebrew name the word "Melkite' is missing. But immediately following the Hebrew name appears the English title 'Catholic Melkite Religious Court', and above those words a heading in Arabic which may be translated "The Religious Court of the Catholic Melkite Community'. Also, on the seal of the Court affixed to the various documents appears the phrase in English 'Catholic Melkite Religious Court of Appeal'.

We find nothing in the Order in Council which makes it necessary for the religious courts to make use of any particular name. The correct way of formulating the question, therefore, is: Was the religious court which tried the dispute between a husband and a wife, members of the Greek Catholic Melkite community, the religious court of the Greek Catholic Melkite Community? We have no hesitation in saying that the Court competent under the Order in Council to deal with cases between members of that Community sat in the case before us, and furthermore that that Court is the only Court having jurisdiction to deal with matters of personal status of members of that Community. Consequently the petitioner's argument that the first respondent should refrain from executing the judgment of the religious Court of the Greek Catholic Melkite Community on account of some inaccuracy (if it really exists) appearing in the title of the Court on the papers, is unsubstantiated and we do not have to rely upon the affidavit of Advocate Koussa to the effect that the judgment in fact emanated from the Court of that Community.

As to the petitioner's second contention, the answer is found in the regulations, in the Arabic language, brought to our attention by Counsel for the second respondent. The regulations were printed in Lebanon and are intituled "Lettre Apostolique, Donnée Motu Proprio par Sa Sainteté le Pape Pie XII Glorieusement Régnant — Les Procès Pour l'Eglise

Orientale" — (authorized translations by the Papal Committee for the Code of Canon Law for the Orient). Regulation 71 of those Regulations reads: 'The judges and officials mentioned in Regulations 38 *et sqq.* may be chosen also from persons who are members of different communities'. From the evidence of Mr. Koussa, who is appearing for the second respondent, and who is also the Legal Adviser of the Greek Catholic Melkite Community, it appears that this Regulation is also applicable to the Appellate Tribunal which sat in this case.

Counsel for the petitioner, in making this submission, did not direct our attention to any law or regulation concerning the constitution of a Christian Ecclesiastical Court. There is no indication in the Order in Council which might be taken as forbidding or rendering incompetent a Court some of whose members belong to another Community.

We must remember that the Melkite Community is one of the Catholic Communities at the head of which is the Pope, resident in the Vatican. We do not therefore see anything wrong in the composition of the Court if, in the case before us, there sat Catholic judges belonging to another Community. It follows that the first respondent was right in refusing to entertain this objection made by the petitioner to the execution of the judgment of the Court of Appeal of the Melkite community.

The third, and the most interesting submission put forward by the petitioner relates to the fact that the appointment of the judges who constituted the Appellate Tribunal was made by the Melkite Patriarch whose residence is in Lebanon. If I understood him correctly, Counsel for the petitioner bases his submission on the following propositions:

a) Lebanon is in a state of war with Israel or at least is not in a state of peace with her;

b) Every person who resides in Lebanon is to be regarded as an enemy with whom all intercourse and contacts are prohibited;

c) The Melkite Patriarch resides in the Lebanon.
Therefore he is an enemy and as such cannot appoint judges to determine any matter, religious or secular, in Israel;

d) In consequence, the judges who sat in the present appeal by virtue of an appointment made by the Patriarch in Lebanon, gave a judgment contrary to the law of Israel and therefore the first respondent cannot execute it.

Counsel for the second respondent stressed that most of these submissions were political rather than legal. He did not reply *seriatim* but he did argue that they were all based on an incorrect supposition of fact, namely:— that the Government of Israel does not permit contacts or intercourse with the Patriarch in Lebanon, whereas the opposite is true. The Government of Israel permits Monsignor Hakim to cross the Lebanese frontier in order to meet with the Patriarch and discuss with him religious questions of concern to the Melkite Community.

It is a matter for regret that Counsel for the petitioner did not fully develop his ideas but merely placed them before us. He quoted no authority in support of the supposed prohibition upon religious intercourse. Nevertheless the submission is a weighty one and we must deal with it.

As in many other spheres, so in its relations with its neighbours the State of Israel is unique. It may not be possible to find any direct support for the submissions brought before us, either in Oppenheim or in any other book on public international law. But we have a special Agreement with Lebanon, which clearly defines the legal aspects of relations between the two countries and we must

therefore first examine that Agreement very closely in order accurately to determine the legal nature of the relations subsisting between the two countries. Before doing so, let me stress that both Israel and Lebanon are members of the United Nations and are bound to conduct themselves in accordance with what is laid down in the Charter. For that reason, in order to find the answer to the question whether Israel is in a state of war with Lebanon, we have to look to both these international documents which have been published in the State Records of Israel (Kitve Amana — Israel Treaty Series).

Article 33 of the Charter of the United Nations provides: 'The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice'.

Article 37, para. 1 states: 'Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council'.

And according to Article 38: 'Without prejudice to the provisions of Article 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute'.

The consequence of this is that States members of the United Nations cannot be in a state of war so long as they have made no effort to reach agreement with their enemy or so long as the Security Council has not reached a decision concerning the state of affairs which has come into existence between the two States.

So far as we are concerned there also exists, as I have already mentioned, a special and additional international obligation imposed upon Lebanon and Israel, not to employ warlike methods to achieve a political objective desired by one or other of them. Article 1(1) of the Israeli-Lebanese General Armistice Agreement of 23 March 1949 imposes the following obligations upon each of its parties:

'The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties'.

The subparagraph immediately following describes the situation so clearly that it is impossible to assume for one moment that a state of war exists between the two countries once they have signed the Agreement:

'No aggressive action by the armed forces of either party shall be undertaken, planned or threatened against the people or the armed forces of the other'.

And by subparagraph 3:

'The right of each party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected'. Article 3 of the Agreement establishes a general armistice between the armed forces of the two parties, paragraph 3 of that Article clearly stating: 'No warlike act or act of hostility shall be conducted from territory controlled by one of the parties to this Agreement against the other party'.

By Article 8 of the Agreement, 'the present Agreement is not subject to ratification and shall come into force immediately upon being signed'. It also is of interest to recall that by Article 8, paragraph 3, if the parties wish to revise the Agreement or any of its provisions or to suspend its application, other than Articles 1 and 3, they may do so by mutual consent. In short, the two countries bound themselves not to employ force one against the other. In addition to this it is a fact that the Agreement has now

been in force for more than six years. It follows therefore that the underlying submission advanced by Counsel for the petitioner that the two countries are in a state of war, is completely unfounded. True, they may not yet have reached a state of peace, but those principles which forbid the maintenance of contacts with the enemy apply to a very different situation, namely one of actual war.

Our situation might properly be described as one of termination of war. In Oppenheim's *International Law,* vol. II (7th ed. 1952) p. 596 it is said: 'A war may be terminated in three different ways. 1) Belligerents may abstain from further acts of war, and glide into peaceful relations without expressly making peace through a special treaty . . . . '

Furthermore when representatives of the Government of Egypt appear before the Security Council and argue that they are entitled to prevent Israel ships from passing through the Suez Canal on the ground that a state of war exists between Egypt and Israel, the representatives of Israel always give the same answer: there is no state of war between Israel and her neighbours.

The second proposition, too, is unfounded. If there is no specific law in Israel — and Mr. Scharf has not referred us to any such law — prohibiting all relations between an Israeli and a resident of Lebanon, we cannot decide that such relations are illegal.

In England, together with specific laws such as the Trading with the Enemy legislation, there exists also the common law which prohibits intercourse, not only of a commercial character, in time of war between persons resident in England and enemy territory. In the eighteenth century the judges restricted this prohibition to commercial intercourse but during the nineteenth they extended it to cover other forms of contact.

In the present century, when war has become global and all contact is considered dangerous, the prohibition has been broadened still further and in time of war almost every kind of contact between a person resident in England and a person resident in enemy or enemy-occupied territory is regarded with suspicion. See *Robson v. Premier Oil and Pipe Line Company Limited* [1915] 2 Ch. 124.

It is interesting to note that the modern judgments stress that the prohibition to-day is to be found, in nearly every case, in statute law and not in the common law and excluded from the scope of the prohibition are all instances where the Crown has granted a licence whether general or specific.

The prohibition derives from the determination of the State to prevent activities likely to be of advantage to the enemy in *time of war* and the judges do not prohibit benefits likely to accrue to the enemy after the termination of the war. The *dictum* of Lord Parker is well-known and is often cited in the judgments:

'The prohibition against doing anything for the benefit of an enemy contemplates his benefit during the war and not the possible advantage he may gain when peace comes (*Tingley v. Miller* [1917] 2 Ch. p. 158).

In the recent judgment of the House of Lords in *Arab Bank Ltd. v. Barclays Bank* (*Dominion, Colonial and Overseas*) [1954] A.C. 495 at p. 498 it is said:

'Meanwhile the State of Israel had passed certain legislation . . . . On May 19 it passed a Law and Administration Ordinance . . . . By Article 11 of that Ordinance, it was provided that the law which existed in Palestine on May 14, 1948, would remain in force . . . Since the law which existed in Palestine on May 14, 1948, embraced the common law of England in regard to trading or communicating with the enemy, it became illegal for anyone in Israel to have intercourse with anyone in enemy territory.'

From the arguments of Counsel in that case it appears that they agreed that the English common law concerning intercourse with the enemy in time of war also applies in Israel. But for that I would have thought, with all respect to the learned Law Lords, that they did not pay sufficient attention to Article 46 of the Palestine Order in Council which introduced into this country the English common law only in so far as local legislation does not extend or apply. But in Palestine (as now in Israel) legislation has been passed dealing with intercourse with the enemy, such as the Defence (Finance) Regulations, 1941, and the Trading with the Enemy Ordinance, 1939. According to this latter Ordinance, a person will be regarded as trading with the enemy if he has any 'commercial, financial or other intercourse or dealings with or for the benefit of an enemy . . . . ' From this it follows that the prohibition of an Israeli to trade with an enemy or to maintain intercourse with him derives not from the English common law but from the mandatory Ordinance. To what does the Ordinance refer? To commercial or financial intercourse but not to other types of intercourse with an 'enemy' within the meaning of those laws. The fact that the word 'intercourse' is inserted between 'commercial, financial' and 'dealings' suggests that the legislator had in mind commercial intercourse or at least did not have in mind intercourse of a religious nature. It is perfectly true that in the English judgments, from the end of the eighteenth century up to the year 1954, many *dicta* can be found to the effect that intercourse is not restricted to commercial intercourse but extends to all intercourse (see the speech of Lord Dunedin in *Ertel Bieber & Company v. Rio Tinto Company Ltd.* [1918] A.C. 260, pp. 267, 268), but there are no decisions concerned with intercourse other than financial, commercial or similar intercourse. I do not include trials for treason for they are concerned with circumstances of a completely different character. See *Joyce v. Director of Public Prosecutions* [1946] A.C. 347.

Immediately after the termination of the Second World War the House of Lords dealt with the whole question of intercourse with the enemy in the leading case of *Schering Limited v. Stockholm Enskilda Bank Aktielobag and ors.* [1946] A.C. 219 in which it relied on the *Ertel Bieber* case of the First World War and quoted the following dicta of Lord Dunedin:

'From these cases I drew the conclusion that upon the ground of public policy the continued existence of contractual relations [note the words contractual relations] between subjects and . . . persons voluntarily residing in the enemy country which (1) give opportunities for the conveyance of information which may hurt the conduct of the war, or (2) may tend to increase the resources of the enemy . . . . is obnoxious and prohibited by our law.'

Lord Thankerton in the *Schering* case added (at p. 238):

'The contracts which fall under this principle of public policy are clearly contracts the performance . . . of which after the outbreak of war may involve the consequences which the principle . . . seeks to avoid, but it is equally clear that there are certain well established exceptions to the contracts thus broadly defined.'

Can we deduce from these judgments — and as I have emphasized the judgments deal with only one type of intercourse, commercial intercourse — that the appointment of judges by the Patriarch is likely to open the way to the conveyance of information which may hurt the conduct of the war (when there is no war), or may tend to increase the strength and resources of the enemy? And the stress which the English judgments place upon

the situation existing *flagrante bello* excludes completely from their contemplation the type of relation subsisting today between Israel and the Lebanon.

I have found nothing in the authorities — and Counsel for the petitioner has not referred us to any such authority — to indicate that the prohibition applies to priests when concerned with religious matters. For example: there are in Israel a number of Jews who have immigrated from Egypt. Suppose an immigrant to bring a case before the Rabbinical Court in which the question arises when or whether he was married or whether he is somebody's heir — and the answers are to be found in the offices of the Rabbinate in Cairo — I should have thought that so long as there is no war between the two countries, the Chief Rabbi of Israel could legally apply to the Chief Rabbi of Cairo in order to obtain authoritative information required for the purposes of the case before the Rabbinical Court. I would even go so far as to say that intercourse of this character is permitted so long as the law does not forbid it. If the statement made by the second respondent is true — and no one has denied it in this case — that Israel authorizes the journeys undertaken by Monsignor Hakim from Israel to Lebanon in order there to confer with the Melkite Patriarch, then you have here a licence on the part of the State and that, on all accounts, is sufficient to remove the prohibition on intercourse between the inhabitants of enemy states.

Counsel for the petitioner desires to extend the English common law to unreasonable limits. In this connexion I would recall the words of Lord Simonds in *Hangkam Kwingtong Woo v. Lin Lan Fong alias Liu Ah Lan* [1954] A.C. 707 at p. 720:

'The contentions of the appellant involve a grave extension of the common law, and that extension means not merely the application of old principles to new circumstances or their adjustment to fresh needs, but the rewriting of them in conditions in which their foundations are shaken.'

The judges of the Religious Court perform their duties as independent judges and they do not have recourse to the Patriarch in connexion with cases which they are trying. It follows that when they give judgment after having heard the facts and the arguments of the litigants before them, their judgment cannot be attacked simply on the ground that there might arise some doubt whether the Patriarch who appointed them is to be considered as an enemy because he resides in a country which is itself alleged to be enemy territory.

Mr. Koussa suggested another approach to the problem. He argued that although the Patriarch resides physically in the Lebanon, spiritually he is to be considered as residing in each one of the countries over which his religious authority extends. I am not ready to accept this submission as made but a similar line of argument may be accepted. If the State recognizes the court of a religious Community which possesses a well-known hierarchy outside its borders, then it must allow that hierarchy to perform its functions in accordance with the laws and customs of that Community. If the State desires to prevent the Patriarch, who resides abroad, from dealing with the affairs of his Community in Israel, then it must enact appropriate legislation.

Were there any substance in the arguments put forward by Counsel for the petitioner, we should have expected that the Attorney-General of the Government of Israel, who defends the interests of the State, would have come forward and given some support to those arguments. The representative of the Attorney-General was invited to appear in Court and, if he so desired, to oppose the execution of the

judgment rendered by judges appointed by the Patriarch who is physically resident in Lebanon. The representative of the Attorney-General apppeared before us on the return day and informed us that he had no interest in the case and we acceded to his request that he might withdraw. We see in the absence of any opposition on the part of the Attorney-General to the execution of the judgment, the agreement of the State to what has been done, in this case, by the Patriarch who resides abroad.

Counsel for the applicant attacked the judgment from another point of view, namely, that it provides for a portion of the maintenance to be met out of the inheritance which the applicant may receive upon the death of his father. The applicant argues that he has no wish to see his father's death and has no interest in the inheritance which will then be his. This Court is unable to interfere in this or any other part of the judgment of the religious Court since the matter of maintenance between husband and wife lies within the exclusive jurisdiction of the religious courts.

For these reasons the order *nisi* is discharged, petitioner to pay IL. 100 costs.

(Report: Piskei Din, vol. 9 (1955) p. 135).

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